

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION

MARQUETTA BRABSON-WILLIAM,)	
)	
Plaintiff,)	
)	
v.)	Case No.: 1:21-cv-00292
)	
LINCOLN FINANCIAL GROUP,)	Removed from Allen Superior Court
)	Cause No. 02D03-2106-PL-000271
Defendant.)	

DEFENDANT'S NOTICE OF REMOVAL

Defendant The Lincoln National Life Insurance Company (improperly identified as Lincoln Financial Group), hereby removes this action from the Allen County Superior Court in the State of Indiana to the United States District Court for the Northern District of Indiana - Fort Wayne Division pursuant to 28 U.S.C. § 1331. In support thereof, Defendant states as follows:

1. Plaintiff Marquette Brabson-William initiated this action on or about June 30, 2021, by filing a Complaint in the Superior Court of Allen County, Indiana (Cause No. 02D03-2106-PL-000271) against The Lincoln National Life Insurance Company. Plaintiff served The Lincoln National Life Insurance Company with a copy of the Complaint and Summons by United States Certified Mail on July 12, 2021. True and correct copies of the Summons and Complaint are attached as **Exhibit A**. All other pleadings filed in the State Court Action that have been served on Defendant are attached as **Exhibit B**.

2. Defendant filed this Notice of Removal within 30 days of receiving the initial pleading and within one year of the commencement of this action, in compliance with 28 U.S.C. § 1446(b)-(c). Because the Superior Court of Allen County, Indiana lies in the Northern District of Indiana, this Court is the appropriate venue for removal. 28 U.S.C. §§ 94(a)(1) and 1441.

3. On July 27, 2021, Plaintiff filed an Amended Complaint. Plaintiff's Amended Complaint asserts claims under Title VII of the Civil Rights Act of 1964 and 42 U.S.C. § 1981.

4. Because the Amended Complaint brings claims arising under federal law, this Court has original jurisdiction over the action pursuant to 28 U.S.C. § 1331.

5. Pursuant to 28 U.S.C. § 1446(d), written notice of this removal of the state court action has been served on counsel for Plaintiff and a notice of removal has been simultaneously filed in Allen County Superior Court.

WHEREFORE, consistent with this Notice, Defendant removes the above-described action now pending in the Allen County Superior Court, Indiana, to the United States District Court for the Northern District of Indiana, Fort Wayne Division.

Respectfully submitted,

/s/ Michael W. Padgett
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Attorneys for Defendant,
The Lincoln National Life Insurance Company

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on August 2, 2021 I filed the foregoing *Defendant's Notice of Removal* electronically with the Clerk of the Court. Notice of this filing will be sent to the following parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

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/s/ Michael W. Padgett
Michael W. Padgett